

APPENDIX "A"

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 9, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following discovery in the above-referenced matter:

1. The names and last known addresses of persons whom the prosecution intends to call as witnesses, in the presentation of the evidence in chief, together with their relevant written or recorded statements:

A. Witnesses:

- 1) Detective Antonio Funes
Maui Police Department
Tel. No. 244-6425
- 2) Officer Clyde Holokai
Maui Police Department
Tel. No. 244-6340
- 3) Officer Martin Lake
Maui Police Department
Tel. No. 244-6340

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- 4) Officer Richard Su'apaia
Maui Police Department
Tel. No. 244-6340
- 5) Serena Seidel
c/o Dept. of the Prosecuting Attorney
Wailuku, Hawaii
Tel. No. 243-7777
- 6) Annie Leong
208 Noe Street
Kihei, Hawaii
Tel. No. 879-5007
or
c/o Gas Express
Kihei, Hawaii
Tel. No. 879-4947
- 7) John Salcedo
15 Kulanihakoi Street, #1A
Kihei, Hawaii
- 8) Jade Kalalau
851 S. Kihei Road, E-106
Kihei, Hawaii
Tel. No. 874-7506
- 9) Samonte Escritor
851 S. Kihei Road
Kihei, Hawaii
Tel. No. 875-0797
- 10) Steven Warwock
851 S. Kihei Road
Kihei, Hawaii
Tel. No. 879-4133

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- 11) Detective Brian Kaya
Maui Police Department
Tel. No. 244-6425
- 12) Officer Garret Benito
Maui Police Department
Tel. No. 244-6340
- 13) Officer Loren Natividad
Maui Police Department
Tel. No. 244-6340
- 14) Detective Sara Cluney
Maui Police Department
Tel. No. 244-6425
- 15) Lieutenant Cal Shinyama
Maui Police Department
Tel. No. 244-6355
- 16) Detective Ronald Hiyakumoto
Maui Police Department
Tel. No. 244-6425
- 17) Detective Timothy Gapero
Maui Police Department
Tel. No. 244-6425
- 18) Detective David Medeiros
Maui Police Department
Tel. No. 244-6425
- 19) Detective Waldo Fujii
Maui Police Department
Tel. No. 244-6425
- 20) Lieutenant Wayne Ribao
Maui Police Department
Tel. No. 244-6425

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- 21) Wayland Kunitake
Evidence & ID Technician
Maui Police Department
Tel. No. 244-6355
- 22) Officer Ricky Uedoi
Maui Police Department
Tel. No. 244-6430
- 23) Bert Freeland
Maui Memorial Hospital
Wailuku, Hawaii
Tel. No. 244-9056
- 24) Dr. Anthony Manoukian
Clinical Laboratories
Maui Memorial Hospital
Tel. No. 242-2064
- 25) Majorie Tateyama
Maui Memorial Hospital
Housekeeping
Wailuku, Hawaii
Tel. No. 242-2142
- 26) Pat Enriques
Maui Memorial Hospital
Laundry Room
Tel. No. 242-2274
- 27) Joaquin "Jack" Freitas
Kihei Safe and Locksmith
Kihei, Hawaii
Tel. No. 877-2850
- 28) Rob Perry
15 Kulanihakoi Street
Wailuku, Hawaii
Tel. No. 879-5516

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- 29) Tasha Santana
15 Kulanihakoi Street, Apt. 20A
Kihei, Hawaii
Tel. No. 875-6371
- 30) Luann K. Kaholokula
670 Waiale Drive, Bldg. 6-203
Wailuku, Hawaii
Tel. No. 243-9076
- 31) Dr. Mark Haddad
Maui Memorial Hospital
Emergency Room
Tel. No. 242-2343
- 32) Dr. Leonard Sakai
Maui Memorial Hospital
Emergency Room
Tel. No. 242-2343
- 33) Family of Vilmar Cabaccang
6 Hakoi Street
Kihei, Hawaii
- 34) Lisa Kimmey, (minor)
157 Mano Drive
Kula, Hawaii
Tel. No. 878-2195
- 35) Carla Kimmey
157 Kula Drive
Kula, Hawaii
Tel. No. 878-2195
- 36) Heather Romero
3366 Kekaha Drive
Kihei, Hawaii
Tel. No. 879-2411

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- 37) Bruce Metz
P.O. Box 2591
Wailuku, Hawaii
Tel. No. 874-5979
- 38) Harry Auweloa
RR2 Box 75, Kula Hwy
Kula, Hawaii
Tel. No. 876-0643
- 39) Detective Hamilton Rodrigues
Maui Police Department
Tel. No. 244-6425
- 40) Helen E. Beatty
RR2 Box 75, Kula Hwy
Kula, Hawaii
Tel. No. 876-0643
- 41) Michael A. Pszyk, Jr.
RR1 Box 496, Upper Kimo Drive
Kula, Hawaii
Tel. No. 878-1001
- 42) James "Hina" Alo Burkhart
c/o MCCC
600 Waiale Drive
Wailuku, Hawaii
Tel. No. 243-5101
- 43) Betty Teruya
472 Kaiola Place
Kihei, Hawaii
Tel. No. 875-1306
- 44) James Paet
298 Akaiku Street
Kihei, Hawaii
Tel. No. 874-6099

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- 45) Detective Charles Rojas
Maui Police Department
Tel. No. 244-6425
- 46) Stephen Tamaye
c/o Ace Auto Glass, Inc.
153 Alamaha Street
Kahului, Hawaii
Tel. No. 871-7921
- 47) Phillip W. Schmidt
15 Kulanihakoi Street, #18-C
Kihei, Hawaii
Tel. No. 879-4941
- 48) Warren Brown
Kula, Hawaii
- 49) Nancy M. Vendrell
158 Mano Drive
Kula, Hawaii

or

- 50) Joann Furuya
Criminalist
Honolulu Police Department
801 S. Beretania Street
Honolulu, Hawaii 96813
- 51) Lieutenant Wayne Ribao
Maui Police Department
Wailuku, Hawaii

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- 52) Brooke VonTempsky (minor)
46 Ting's Place
Wailuku, Hawaii
- 53) Detective Hervina Santos
Maui Police Department
Wailuku, Hawaii
- 54) Officer Richard Suapaiia
Maui Police Department
Wailuku, Hawaii
- 55) Officer Guy Souza
Maui Police Department
Wailuku, Hawaii
- 56) Any other person whose name appears in any of the reports listed below.
- 57) Any person whom the Defendant intends to call as a witness at trial.

B. Relevant Written or Recorded Statements: The police reports and reports of experts, which were prepared in connection with the above-referenced matter, include the following:

- 1) Maui County Police Department OBTS/CCH Transmittal/Arrest Report for Report No. 95-39250, by Detective Antonio Funes, dated 8/17/95, consisting of 1 page;
- 2) Hawaii OBTS/CCH Criminal History Summary for Taryn Christian dated 9/8/95, consisting of 2 pages;
- 3) Maui County Police Department OBTS/CCH Transmittal/Arrest Report for Report No. 95-47056, by Detective Antonio Funes, dated 8/21/95, consisting of 1 page;

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- 4) General Case/Incident Report for Report No. 95-39250, by Officer Clyde Holokai, dated 7/14/95, consisting of 5 pages;
- 5) General Case/Incident Report for Report No. 95-47056, by Detective Antonio Funes, dated 8/21/95, consisting of 1 page;
- 6) General Case/Incident Report for Report No. 95-47053, by Detective Antonio Funes, dated 8/21/95, consisting of 1 page;
- 7) Maui County Police Department Dispatch Log, dated 7/14/95, consisting of 6 pages;
- 8) Supplementary Report for Report No. 95-39250, by Officer Ricky Uedoi, dated 7/14/95, consisting of 2 pages;
- 9) Supplementary Report for Report No. 95-39250, by Officer Clyde Holokai, dated 7/14/95, consisting of 4 pages;
- 10) Supplementary Report for Report No. 95-39250, by Officer Martin A. Lake, dated 7/14/95, consisting of 1 page;
- 11) Supplementary Report for Report No. 95-39250, by Officer Garret Benito, dated 7/14/95, consisting of 1 page;
- 12) Supplementary Report for Report No. 95-39250, by Officer Robert L. Stuhr, dated 7/15/95, consisting of 1 page;
- 13) Supplementary Report for Report No. 95-39250, by Officer Loren Natividad, dated 7/18/95, consisting of 1 page;

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- 14) Supplementary Report for Report No. 95-39250, by Officer Clyde Holokai, dated 8/22/95, consisting of 1 page;
- 15) Supplementary Report for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 8/9/95, consisting of 4 pages;
- 16) Composite of Suspect (with short hair/no mustache) for Report No. 95-39250, undated, consisting of 1 page;
- 17) Composite of Suspect (with long hair/mustache) for Report No. 95-39250, undated, consisting of 1 page;
- 18) Synopsis of case, prepared by Detective Antonio Funes, dated 8/17/95, consisting of 1 page;
- 19) Synopsis of Case for Report No. 95-39250, by Detective Antonio Funes, dated 7/14/95, consisting of 1 page;
- 20) Supplementary Report for Report No. 95-39250, by Detective Milton Matsuoka, dated 7/17/95, consisting of 2 pages;
- 21) Maui Police Department Internal Memorandum for Report No. 95-39250, by Detective Sara Cluney, dated 7/17/95, consisting of 4 pages;
- 22) Photograph Log for Report No. 95-39250, by Lieutenant Cal Shinyama, dated 7/14/95, consisting of 1 page;

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- 23) Maui Police Department Request for Autopsy for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 7/14/95, consisting of 1 page;
- 24) Transcript of Statement Received from Lisa Kimmey, dated 8/17/95, consisting of 13 pages;
- 25) Transcript of telephone conversation between Lisa Kimmey and Defendant Taryn Christian, dated 8/17/95, consisting of 15 pages;
- 26) Supplementary Report for Report No. 95-39250, by Detective Antonio Funes, dated 8/22/95, consisting of 2 pages;
- 27) Evidence Record (car) for Report No. 95-39250, by Officer Martin Lake, dated 7/14/95, consisting of 1 page;
- 28) Evidence Record (video cassette) for Report No. 95-39250, by Det. Timothy Gapero, dated 7/15/95, consisting of 1 page;
- 29) Evidence Records (knife, key ring, screwdriver, knife sheath) for Report No. 95-39250, by Detective Timothy Gapero, dated 7/18/95, consisting of 4 pages;
- 30) Evidence Record (baseball cap) for Report No. 95-39250, by Detective Timothy Gapero, dated 7/28/95, consisting of 1 page;
- 31) Evidence Record (stitches) for Report No. 95-39250, by Detective Timothy Gapero, dated 7/18/95, consisting of 1 page;

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- 32) Evidence Record (baseball cap) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/14/95, consisting of 1 page;
- 33) Evidence Record (shorts) for Report No. 95-39250, by Officer Garret Benito, dated 7/14/95, consisting of 1 page;
- 34) Evidence Record (shorts) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/28/95, consisting of 1 page;
- 35) Evidence Record (bikini top) for Report No. 95-39250, by Officer Garret Benito, dated 7/14/95, consisting of 1 page;
- 36) Evidence Record (bikini top) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/28/95, consisting of 1 page;
- 37) Property Receipt (blanket) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/24/95, consisting of 2 pages;
- 38) Evidence Record (jacket) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/28/95, consisting of 1 page;
- 39) Evidence Record (blanket) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/24/95, consisting of 1 page;
- 40) Evidence Record (cotton swabs) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/18/95, consisting of 2 pages;
- 41) Evidence Record (container, hair) for Report No. 95-39250, by Detective Timothy Gaper, dated 7/28/95, consisting of 3 pages;

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- 42) Evidence Record (packet) for Report No. 95-39250, by Detective Timothy Gapero, dated 8/8/95, consisting of 2 pages;
- 43) Evidence Record (driver's license, pants) for Report No. 95-39250, by Detective Timothy Gapero, dated 8/21/95, consisting of 2 pages;
- 44) Evidence Record (print cards) for Report No. 95-39250, by Detective Timothy Gapero, dated 7/18/95, consisting of 1 page;
- 45) Evidence Record (containers) for Report No. 95-39250, by Detective Timothy Gapero, dated 7/18/95, consisting of 1 page;
- 46) Evidence Record (cassette) for Report No. 95-39250, by Detective Antonio Funes, dated 8/17/95, consisting of 1 page;
- 47) Evidence Record (lineup) for Report No. 95-39250, by Detective Antonio Funes, dated 8/22/95, consisting of 1 page;
- 48) Photocopy of Photo Display Folder, M.P.D. Form No. 2067, undated, consisting of 1 page;
- 49) Photocopy of Stainless Steel Blade with Forked Point, undated, consisting of 1 page;
- 50) Drawing for Report No. 95-39250, undated, consisting of 1 page;
- 51) Photocopies of autopsy photographs, undated, consisting of 2 pages;
- 52) MPD Acknowledgement of Bail Bond Being Set, for Report Nos. 95-47056 and 95-47053, dated 8/21/95, consisting of 1 page;

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- 53) Supplementary report for Report No. 95-39250, by Detective Timothy Gapero, dated 8/23/95, consisting of 12 pages;
- 54) MPD Fingerprint/Photographic Services Request, by Detective Timothy Gapero, dated 7/18/95, consisting of 1 page;
- 55) Evidence Record (packet) for Report No. 95-39250, prepared by Detective Timothy Gapero, dated 8/21/95, consisting of 1 page;
- 56) Supplementary Report for Report No. 95-39250, by Detective Timothy K. Gapero, dated 8/22/95, consisting of 1 page;
- 57) Supplementary Report for Report No. 95-39250, by Detective Timothy Gapero, dated 8/22/95, consisting of 12 pages;
- 58) Supplementary Report for Report No. 95-39250, by Detective Timothy Gapero, dated 8/22/95, consisting of 5 pages;
- 59) Supplemental Report for Report No. 95-39250, prepared by Detective Antonio Funes, dated 9/18/95, consisting of 25 pages;
- 60) Supplemental Report for Report No. 95-39250, prepared by Detective Brian Kaya, dated 8/22/95, consisting of 37 pages;
- 61) Autopsy Report for Report No. 95-39250, prepared by Dr. Anthony Manoukian, consisting of 9 pages;
- 62) Laboratory Report, for Report No. 95-39250, prepared by Randall C. Baselt, consisting of 2 pages;

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- 63) Coroner's Request for Report No. 95-39250, prepared by Detective Ronald Hiyakumoto, dated 8/28/95, consisting of 1 page;
- 64) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Detective Timothy Gapero, dated 8/17/95, consisting of 1 page;
- 65) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Officer Martin Lake, dated 7/18/95, consisting of 1 page;
- 66) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Detective David Medeiros, dated 8/21/95, consisting of 5 pages;
- 67) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Officer Clyde Holokai, dated 7/14/95, consisting of 1 page;
- 68) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Officer Todd Schwartz, dated 8/17/95, consisting of 1 page;
- 69) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Detective Antonio Funes, dated 8/17/95, consisting of 1 page;
- 70) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Lieutenant Wayne Ribao, dated 9/5/95, consisting of 1 page;

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- 71) MPD Inter-Departmental Memo, prepared by Sergeant John McKeral, dated 7/24/95, consisting of 2 pages;
- 72) Supplemental Report for Report No. 95-39250, prepared by Detective David Medeiros, dated 8/23/95, consisting of 2 pages;
- 73) Supplemental Report for Report No. 95-39250, prepared by Officer Garret Benito, dated 7/14/95, consisting of 1 page;
- 74) Supplemental Report for Report No. 95-39250, prepared by Officer Clyde Holokai, dated 7/14/95, consisting of 4 pages;
- 75) Supplemental Report for Report No. 95-39250, prepared by Detective Jody Murata, dated 7/18/95, consisting of 10 pages;
- 76) Photo Identification Report for Report No. 95-39250, dated 7/14/95, consisting of 1 page;
- 77) Description Workbook for Report No. 95-39250, dated 7/14/95, consisting of 10 pages;
- 78) Maui News newspaper clipping, dated 7/16/95, consisting of 1 page;
- 79) Blueprint Sketch of Scene, prepared by Detective Waldo Fujie, dated 7/14/95, consisting of 2 pages;
- 80) Interdepartmental Memo, prepared by Sergeant Rick Martinez, dated 8/17/95, consisting of 4 pages;

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- 81) Supplemental Report for Report No. 95-39250, prepared by Detective Antonio Funes, dated 7/18/95, consisting of 34 pages;
- 82) Wound Charts for Report No. 95-39250, consisting of 4 pages, (back and front);
- 83) Evidence Record (photograph) for Report No. 95-39250, prepared by Detective Brian Kaya, dated 7/17/95, consisting of 1 page;
- 84) Evidence Record (photo lineup) for Report No. 95-39250, prepared by Detective Jody Murata, dated 7/18/95, consisting of 1 page;
- 85) Evidence Record (photographs) for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 7/19/95, consisting of 1 page;
- 86) Evidence Record (video tape) for Report No. 95-39250, by Detective Ronald Hiyakumoto, undated, consisting of 1 page;
- 87) Evidence Record (earrings) for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 7/19/95, consisting of 1 page;
- 88) Evidence Record (fingernail scrappings) for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 7/19/95, consisting of 1 page;
- 89) Evidence Record (photographic lineup) for Report No. 95-39250, by Detective Ronald Hiyakumoto, dated 7/31/95, consisting of 1 page;

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- 90) Evidence Record with complete chain of custody for Report No. 95-39250, prepared by Detective Timothy Gaper, dated 10/2/95, consisting of 1 page;
- 91) Affidavit for Search Warrant (95-103, 95-104), file marked on 8/21/95, consisting of 6 pages;
- 92) Search Warrant 95-103, file marked on 8/21/95, consisting of 3 pages;
- 93) Search Warrant 95-104, file marked on 8/21/95, consisting of 2 pages;
- 94) Return and Affidavit for SW95-103, file marked on 8/21/95, consisting of 3 pages;
- 95) Return and Affidavit for SW95-104, file marked on 8/21/95, consisting of 3 pages;
- 96) One set of 35 mm photographs for Report No. 95-39250, consisting of 145 photos;
- 97) Two sets of polaroid photos for Report No. 95-39250, consisting of 32 photos;
- 98) Copy of 911 tape for Report No. 95-39250, (one XL II 60-minute tape);
- 99) Copy of taped conversation between Defendant and girlfriend for Report No. 95-39250, (one XL II 60-minute tape);
- 100) T-120 videotape of Gas Express for Report No. 95-39250, consisting of 1 videotape;
- 101) T-120 videotape of autopsy for Report No. 95-39250, consisting of 1 videotape;

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- 102) T-120 videotape of wake service for Report No. 95-39250, consisting of 1 videotape;
- 103) T-120 videotape of crime scene for Report No. 95-39250, consisting of 1 videotape;
- 104) Supplemental Report for Report No. 95-39250, prepared by Detective Antonio Funes, dated 10/10/95, consisting of 2 pages;
- 105) Supplemental Report for Report No. 95-39250, prepared by Detective Hamilton Rodrigues, dated 10/10/95, consisting of 1 page;
- 106) Sketch of scene for Report No. 95-39250 prepared by Detective Waldo Fujie, dated 7/17/95, consisting of 1 page;
- 107) T-120 videotape of interview of Todd Nishihara on 10/4/95, and Paul Richardson, and David Auld on 10/5/95, for Report No. 95-39250, consisting of 1 videotape.
- 108) Supplemental Report for Report No. 95-39250 by Darna Miguel, AFIS Clerk, dated 10/27/95, consisting of 1 page;
- 109) Police Report No. 95-39250, Supplemental Report by Detective Waldo Fujie dated January 3, 1995, consisting of 1 page;
- 110) Police Report No. 95-38250, Supplemental Report by Lieutenant Wayne Ribao dated September 7, 1995, consisting of 2 pages;
- 111) Police Report No. 95-38250, Evidence Record by Lieutenant Wayne Ribao dated September 5, 1995, consisting of 1 page.

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- 112) Videotape interview of James Hina Burkhart in Cr. No. 95-0389(1).
- 113) Copy of Letter to Michael S. Nakamura from Howard T. Tagomori dated February 22, 1996, consisting of 2 pages;
- 114) Police Report No. 95-39250, Honolulu Police Department, Work Request by Joanne Furuya dated February 20, 1996, consisting of 3 pages;
- 115) Police Report No. 95-39250, Honolulu Police Department, Work Request by Joanne Furuya dated February 20, 1996, consisting of 2 pages;
- 116) Police Report No. 95-39250, Honolulu Police Department, Work Request by Joanne Furuya dated February 20, 1996, consisting of 2 pages;
- 117) Police Report Number 95-39250, Supplemental Report by Lieutenant Wayne Ribao dated March 3, 1996, consisting of 6 pages;
- 118) Police Report Number 95-39250, Evidence Record by Detective David Medeiros dated August 21, 1995, consisting of 1 page;
- 119) Police Report Number 95-39250, Evidence Record by Detective Brian Kaya dated August 17, 1995, consisting of 1 page;
- 120) Police Report Number 95-39250, Evidence Record by Detective Antonio Funes dated February 8, 1996, consisting of 1 page;
- 121) Police Report Number 95-39250, Evidence Record by Lieutenant Wayne Ribao dated February 21, 1996, consisting of 1 page;

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- 122) Sketch by Brooke Von Tempsky dated February 21, 1996, consisting of 1 page;
- 123) Police Report Number 95-39250, Evidence Record by Lieutenant Wayne Ribao dated February 23, 1996, consisting of 1 page;
- 124) Sketch by Lawrence R. Kimmey dated February 23, 1996, consisting of 1 page;
- 125) Police Report Number 95-39250, Evidence Record by Detective Hervina Santos dated February 29, 1996, consisting of 1 page;
- 126) Police Report Number 95-39250, Maui County Police Department, Warning & Waiver for James H. Burkhart dated February 28, 1996, consisting of 1 page;
- 127) Police Report Number 95-39250, Statement Received from James Hina Burkhart by Detective Hervina Santos dated February 28, 1996, consisting of 10 pages;
- 128) Police Report Number 95-39250, Supplemental Report by Officer Richard Su'apaia dated February 27, 1996, consisting of 3 pages;
- 129) Police Report Number 95-39250, Supplemental Report by Officer Guy Souza dated February 27, 1996, consisting of 1 page;
- 130) Police Report No. 95-47016, Supplemental Report by Detective Jody Murata dated September 29, 1995, consisting of 10 pages.
- 131) Letter to Judge John E. McConnell from Lori Smith dated March 2, 1996, consisting of 15 pages.

The above reports pages 1-385 have been forwarded to Benjamin B. Cassiday, III, pages 386-400 are enclosed at \$.25 a page.

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2. Written or recorded statements and the substance of any oral statements made by the Defendant together with the names and last known addresses of persons who witnessed the making of such statements:

A. This information is contained within the reports described above.

3. Any reports or statements of experts, which were made in connection with the above-referenced matter or which the prosecutor intends to introduce:

A. At the present time, we do not have any reports other than those listed above.

4. Any books, papers, documents, or tangible objects which the prosecution intends to introduce, or which were obtained from or which belong to the Defendant:

A. These items include the following:

1) All books, papers, documents, photographs, and tangible objects mentioned in the above-described police and experts reports may be introduced at trial. In addition, photographs and diagrams of locations described in the aforementioned material may also be introduced at trial.

The above items are available for inspection in our office.

5. Prior criminal record of the Defendant:

A. The Defendant's Criminal History Summary may be reviewed and/or copied at our office.

6. Exculpatory Material:

A. Our knowledge of the facts relating to the above-referenced matter extends only to the reports described above. If you have any indication of the existence of any exculpatory material beyond that which you might discover in the above-

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described reports, please advise our office of same so that we can make appropriate checks for this material.

7. Electronic Surveillance:

A. To my knowledge there has been no electronic surveillance conducted with respect to the above-referenced matter.

Additionally, as mentioned above, the above-described reports may be reviewed and/or copied at our office. We understand that you may have received discovery from Benjamin B. Cassiday, III, Esq. Therefore, please call this office if you have not received discovery and wish the State to provide you with another copy of documents at \$.25 a page and things produced.

As a courtesy, please contact our office to arrange a mutually convenient time for the review and/or copying of discovery material. This will insure that you or members of your staff will not make unnecessary trips to our office. Discoverable material may be copied at our office by utilizing a coin-operated copier which is located in our office. Discoverable material may not be removed from our office.

I believe that the above complies with the State of Hawaii's obligation under Rule 16 of the Hawaii Rules of Penal Procedure. If you do not agree, please advise me of such in writing.

Thank you for your cooperation in this matter.

Very truly yours,


DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 11, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

- 1) Memo to Lt. Wayne Ribao from Det. Waldo Fujie dated April 6, 1996, consisting of 1 page;
- 2) Thirty-seven (37) photographs (bill for photographs is enclosed).

The above report page 401 is enclosed at \$.25 a page. A bill will be sent to you. The bill for the photographs is enclosed.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "DT Tengan".

DAVELYN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 12, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

- 1) Ambulance Report Form for Vilmar Cabacang dated January 14, 1995, consisting of 2 pages.

The above report (pages 402-403) is enclosed at \$.25 a page. A bill will be sent to you.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in black ink that appears to read "DT Tengan".

DAVELYN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800

April 12, 1996

DAVELYNN M. TENGAN, ESQ.
Department of the Prosecuting Attorney
County of Maui
150 South High Street
Wailuku, Maui, Hawaii 96793

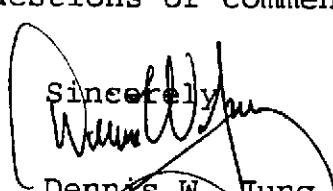
Re: State v. Taryn Christian, Criminal No. 95-0389(1)

Dear Ms. Tengan:

I do not believe that I have obtained the complete discovery which you have provided to my successors. May I make arrangements for my investigator, Robert Vickers, Bethel Investigation to come to your office, and make photocopies of those items which I presently do not have?

Thank you in advance for your help in this regard.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

RECEIVED
PROSECUTOR'S OFFICE
cc: client
96 APR 15 1996
COUNTY OF MAUI
WAILUKU, HI 96793

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800

April 15, 1996

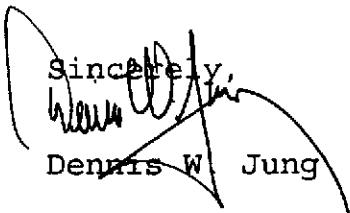
Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
55 Mahalani Street
Wailuku, Maui, Hawaii 96793

Re: letter dated April 11, 1996

Dear Ms. Tengan:

Enclosed, please find my check for the sum of \$7.85 for the one page photocopy and the 37 photos. The photos were not enclosed. I trust that you will have your office forward the photos to me. Thank you very much.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: client

RECEIVED
PROSECUTOR'S OFFICE
APR 16 1996

96 APR 16 MO UO
COUNTY OF MAUI
WAILUKU, HI 96793

Addressed 4-29
Photos received
payment enclosed


DENNIS W. JUNG 59-101/1213
(808) 524-0800 01536338 809
547 HALEKAUWILA, SUITE 212
HONOLULU, HI 96813 DATE APRIL 16, 1986

PAY TO THE ORDER OF MAIN DEPARTMENT OF THE PROSECUTING ATTORNEY \$ 7.85
seven \$ 85/100 DOLLARS

 First Hawaiian Bank
MAIN OFFICE
1132 BISHOP STREET
HONOLULU, HAWAII 96813

MEMO Tanya Christian

112130101510809 01 53633811

STATEMENT

MAUI COUNTY POLICE DEPARTMENT

55 Mahalani Street
Wailuku, Maui, Hawaii 96793

Date 3-29-96

Name Dennis W. Jung
547 Hale Kauilla Street, Suite 212
Honolulu, HI 96813

Report No. 95-39250

DATE	ITEM	AMOUNT
3-29-96	Fee for copy of photos (37)	\$ 7 60
	Re-Taryn Christian Criminal #95-0389 (1)	

A1 15 PG (4/1)
 A2 19 (4/1)
 A3 2 PG (4/2)
 A4 2 PG (4/4)
 A5 1 PG (4/2)
21 Total

Please make check payable to:
 Maui Police Department
 Records Division

RECEIVED - FILED
MAY 11 1996

RECORDED
RECORDED COPY

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 16, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

- 1) Police Report No. 95-39250, Supplemental Report by Sergeant Antonio Funes dated April 10, 1996, consisting of 2 pages.

The above report (pages 404-405) is enclosed at \$.25 a page. A bill will be sent to you.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Tengan".

DAVELYN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 26, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

A copy of the notebook shown by Lieutenant Wayne Ribao's evidence record dated September 5, 1995, is being provided to you. As indicated, this is not the complete notebook which is in evidence at the police station but only the portions I found of interest. Upon suitable arrangement, you may review the actual item at the police station.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive ink that appears to read "D. Tengan".
DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

April 29, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

- 1) Police Report No. 95-39250, Evidence Record (video cassette tape) by Detective Brian Kaya dated July 17, 1995, consisting of 1 page.

The above report (pages 406) is enclosed at \$.25 a page. A bill will be sent to you.

Thank you for your cooperation in this matter.

Very truly yours,

DAVELYN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
MayorRICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
 WAILUKU, MAUI, HAWAII 96793
 PHONE (808) 243-7777 • FAX (808) 243-7625

May 9, 1996

Dennis W. Jung, Esq.
 547 Halekauwila Street, Suite 212
 Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Enclosed please find your check for the sum of \$7.85 for one page of discovery and 37 photos. I am also enclosing a copy of the statement from Maui County Police Department for the photos. Please pay Maui Police Department for the photos.

We received your check No.. 827 for the sum of \$5.00 for payment for 20 pages of discovery. One page was sent to you on April 29, 1996, after you mailed your check. You will be billed later.

Thank you for your cooperation in this matter.

Very truly yours,

DAVELYNN M. TENGAN
 Deputy Prosecuting Attorney

DMT:ayn

Enclosures

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

May 23, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

1. The names and last known addresses of persons whom the prosecution intends to call as witnesses, in the presentation of the evidence in chief, together with their relevant written or recorded statements:

A. Witnesses:

- 1) Serena Seidel
P. O. Box 65
Kapaaau, Hawaii 96755

B. Relevant Written or Recorded Statements: The police reports and reports of experts, which were prepared in connection with the above-referenced matter, include the following:

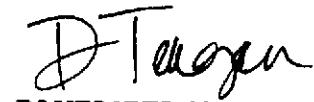
- 1) Copy of audio tape.

The above audio tape is enclosed with a bill.

Dennis W. Jung, Esq.
Page Two
May 23, 1996

Thank you for your cooperation in this matter.

Very truly yours,


DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

June 12, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

- 1) Police Report No. 95-39250, Supplemental Report by Lieutenant Glenn Cuomo dated May 23, 1996, consisting of 1 page.

The above report (pages 407) is enclosed at \$.25 a page. A bill will be sent to you.

Thank you for your cooperation in this matter.

Very truly yours,

DAVELYNNE M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

July 29, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

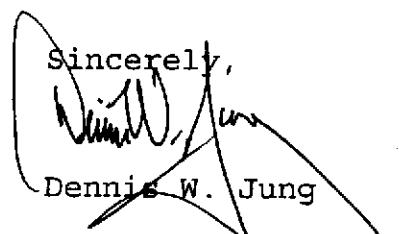
Dear Ms. Tengan:

I need your help to set up a date and time to see the evidence located at the HPD crime lab. Could you give me a call when you have a moment.

In addition, I am interested in obtaining a digital quality audiotape of the 911 calls made in reference to this case. Could you help me get a copy?

Enclosed is a copy of the proposed order. Thanks.

If you have any questions or comments, please do not hesitate to write or call me.

Sincerely,

Dennis W. Jung

cc: client

WAIALUKU, HI 96793
COUNTY OF MAUI
RECEIVED
FILED

96 AUG -5 PM 52

PPC RECEIVED
FILED

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

September 11, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

Re: State v. Taryn Christian, Cr. 95-0389(1)

Dear Davelynn:

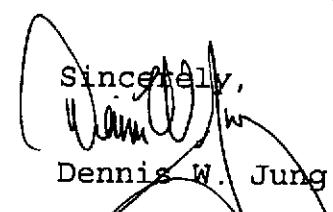
I am making discovery available to you. I will bring it over with me to court on Wednesday, September 18, 1996. You will receive a complete set of all materials received by me from investigator Robert Vickers. My obligation to provide discovery shall be a continuing one.

I will provide you with additional discovery as it becomes available to me.

I plan to provide to you almost everything that I have, and everything that would be remotely discoverable. We are officers of the Court, and discovery should not be in issue between us.

If there any matters of discovery outstanding, like addresses for Lisa Kimi and Serena Siedel, please let me know what I can do to help.

If you have any questions or comments, please do not hesitate to write or call me.

Sincerely,

Dennis W. Jung

cc: client
Robert Vickers

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

October 17, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Davelynn:

I would appreciate a letter from your office which permits me to view the physical evidence being held by the Honolulu Police Department. I am at that part of my inquiry and I really do need access to view the critical pieces of evidence.

The pretrial motions deadline has passed, so you know that I will not be filling a motion to suppress. I trust that no further motions to compel will be required.

Thank you very much for your help in this case.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: client

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625
October 28, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

1. The names and last known addresses of persons whom the prosecution intends to call as witnesses, in the presentation of the evidence in chief, together with their relevant written or recorded statements:

A. Witnesses:

1) Jim Josey
Honolulu Police Department
801 S. Beretania Street
Honolulu, Hawaii 96813

B. Relevant Written or Recorded Statements: The police reports and reports of experts, which were prepared in connection with the above-referenced matter, include the following:

1) Police Report No. 95-39250, Honolulu Police Department Crime Lab Report by L. J. Josey dated October 1, 1996, consisting of 2 pages.

The above report (pages 610-611) is enclosed at \$.25 a page. A bill will be sent to you.

Dennis W. Jung, Esq.
Page Two
October 28, 1996

Thank you for your cooperation in this matter.

Very truly yours,


DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

LINDA CROCKETT LINGLE
MayorRICHARD T. BISSEN, J
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
 WAILUKU, MAUI, HAWAII 96793
 PHONE (808) 243-7777 • FAX (808) 243-7625
 September 24, 1996

Dennis W. Jung, Esq.
 547 Halekauwila Street, Suite 212
 Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

1. The names and last known addresses of persons whom the prosecution intends to call as witnesses, in the presentation of the evidence in chief, together with their relevant written or recorded statements:

A. Witnesses:

- 1) Irene Manglaylan
 Nagasako Variety Market
 Lahaina, Hawaii

B. Relevant Written or Recorded Statements: The police reports and reports of experts, which were prepared in connection with the above-referenced matter, include the following:

- 1) Investigative Services Report by John De Amicis dated July 29, 1996, consisting of 1 page;
- 2) Police Report No. 95-39250, Report by Detective Timothy Gapero dated January 24, 1996, consisting of 1 page;

Dennis W. Jung, Esq.
Page Two
September 24, 1996

- 3) Police Report No. 95-39250, Report by Detective Timothy Gapero dated April 3, 1996, consisting of 2 pages;
- 4) Police Report No. 95-39250, Tape Recorded Telephont Interview by Detective Timothy Gapero dated February 26, 1996, consisting of 10 pages;
- 5) Police Report No. 95-39250, Telephone Interview by Detective Timothy Gapero dated February 27, 1996, consisting of 2 pages;
- 6) Police Report No. 95-39250, Report by Detective Timothy Gapero dated March 6, 1996, consisting of 2 pages;
- 7) Police Report No. 94-61600, General Case/Incident Report by Officer John Rasmussen dated November 3, 1994, consisting of 1 page;
- 8) Police Report No. 94-61600, Property Stolen Report by Officer John Rasmussen dated December 2, 1994, consisting of 1 page;
- 9) Police Report No. 94-61600, Report by Officer John Rasmussen dated December 19, 1994, consisting of 3 pages;
- 10) Police Report No. 94-61627, General Case/Incident Report by Officer John Rasmussen dated Novmeber 2, 1994, consisting of 1 page;
- 11) Police Report No. 95-39250, Report by Detective Timothy Gapero dated September 3, 1996, consisting of 4 pages;
- 12) Police Report No. 95-39250, Statement received from Tammy Lee Dooley and Darrel Macadangdang dated August 29, 1996, consisting of 29 pages;

Dennis W. Jung, Esq.
Page Three
September 24, 1996

- 13) Police Report No. 95-36418, General Case/Incident Report by Officer Richard Suapaia dated June 30, 1995, consisting of 2 pages;
- 14) Police Report No. 95-36418, Evidence Record by Officer Richard Suapaia dated June 30, 1995, consisting of 1 page;
- 15) Police Report No. 95-36418, Report by Officer Richard Suapaia dated July 5, 1995, consisting of 4 pages;
- 16) Police Report No. 95-36418, Report by Detective Milton Matsuoka dated September 14, 1995, consisting of 2 pages;
- 17) Police Report No. 95-36418, CID Case Activity Log dated September 11-13, 1995, consisting of 1 page;
- 18) Police Report No. 95-39250, Report by Detective Timothy Gapero dated March 28, 1996, consisting of 4 pages;
- 19) Police Report No. 95-39250, Report by Detective Timothy Gapero dated April 7, 1996, consisting of 3 pages;
- 20) Police Report No. 95-39250, Report by Detective Timothy Gapero dated August 13, 1996, consisting of 2 pages;
- 21) Police Report No. 95-39250, Report by Detective Timothy Gapero dated July 3, 1996, consisting of 1 page;
- 22) Police Report No. 95-039250, Statement received from Patricia Mullins dated April 17, 1996, consisting of 18 pages;

Dennis W. Jung, Esq.
Page Four
September 24, 1996

- 23) Police Report No. 95-39250, Report by Detective Timothy Gapero dated July 3, 1996, consisting of 1 page;
- 24) Police Report No. 95-39250, Interview of Daniel Macdangdang by Detective Timothy Gapero dated July 2, 1996, consisting of 26 pages;
- 25) Police Report No. 95-39250, Report by Detective Timothy Gapero dated August 6, 1996, consisting of 2 pages;
- 26) Police Report No. 95-39250, Follow-up Investigation by Detective Timothy Gapero dated August 29, 1996, consisting of 11 pages;
- 27) Forensic Laboratory Examination Report by J. P. Foye dated June 12, 1996, consisting of 2 pages;
- 28) Maui County Police Department, Warning & Waiver for James Hina Burkhart dated July 24, 1995, consisting of 1 page;
- 29) Police Report No. 95-39250, Maui Police Department, Consent To Search by James Hina Burkhart dated July 24, 1995, consisting of 1 page;
- 30) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated February 28, 1996, consisting of 1 page;
- 31) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated April 18, 1996, consisting of 1 page;

Dennis W. Jung, Esq.
Page Five
September 24, 1996

- 32) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated July 2, 1996, consisting of 1 page;
- 33) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated July 3, 1996, consisting of 1 page;
- 34) Police Report No. 92-39250, Property Receipt by Detective Timothy Gapero dated August 2, 1996, consisting of 1 page;
- 35) Police Report No. 95-39250, Property Receipt by Detective Timothy Gapero dated August 6, 1996, consisting of 1 page;
- 36) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated August 30, 1996, consisting of 1 page;
- 37) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated August 30, 1996, consisting of 1 page;
- 38) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated September 3, 1996, consisting of 1 page;
- 39) Police Report No. 95-39250, Report by Detective David Medeiros dated September 6, 1996, consisting of 3 pages;
- 40) Police Report No. 95-39250, Evidence Record by Detective David Medeiros dated August 2, 1996, consisting of 1 page;
- 41) Police Report No. 95-39250, Maui Police Department Work Request by Detective David Medeiros dated September 6, 1996, consisting of 1 page;

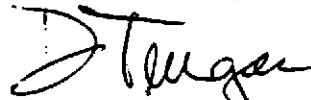
Dennis W. Jung, Esq.
Page Six
September 24, 1996

- 42) Police Report No. 95-39250, Report by Detective Timothy Gapero dated September 9, 1996, consisting of 13 pages;
- 43) Police Report No. 95-39250, Evidence Record by Detective Timothy Gapero dated September 9, 1996, consisting of 1 page;
- 44) Copy of Notebook consisting of 23 pages;
- 45) Copy of Notebook consisting of 12 pages.

The above report (pages 408-609) is enclosed at \$.25 a page. A bill will be sent to you for 182 pages. (202 pages enclosed but credit for 20 pages for discovery sent to us on July 29, 1996.)

Thank you for your cooperation in this matter.

Very truly yours,


DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 3, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

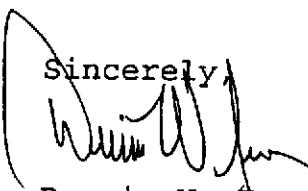
Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Davelyn:

I wrote you a letter dated October 17, 1996. I asked for a letter to permit me to view the physical evidence held by the Honolulu Police Department. In particular, I am interested in the knife.

I have yet to receive information from you as to how I may contact Lisa Kimi. I recommend that you ask for her family's help by arranging for a telephone call. I should think that you would want me to have this information right away. You should help me to protect your record from collateral attack. I need to speak to her to confirm that a motion to suppress is not warranted. I have no desire to file additional motions to compel or a motion for an order to show cause.

Please note also that I have received additional items which may be discoverable. I need to take a second look, and make a determination. Let us try to resolve all final discovery issues as quickly as possible.

Sincerely,

Dennis W. Jung

P.S.: Are you still agreeable to settlement negotiations?
cc: client

RECEIVED
DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 4, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

Re: State v. Taryn Christian, Cr. No. 95-0389(1)
additional discovery - statement by defendant

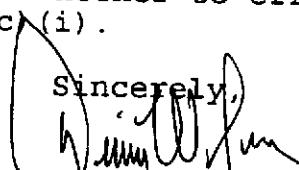
Dear Davelynn:

I have reviewed Rule 16 of the Hawaii Rules of Penal Procedure and have decided that my client's recent statement to investigator Bob Vickers is not discoverable. Normally, this issue would not even come up, as a normal statement requested by an attorney could arguably be deemed work-product and determined not to subject to disclosure pursuant to HRPP Rule 12(5)(5). However, this statement is not work-product. I had nothing to do with its creation.

I am only making you aware of this statement because I advised you that you had no need to file a motion to compel discovery. Since I had previously said that to you, I decided that it would be rather dishonest for me to just to pretend that I had no knowledge of my client's recent statement. (As an aside, I considered my belief that you were not entitled to an order to compel discovery under HRPP 16(d), but deemed this be a point of no consequence.)

I have run a check of the caselaw governing HRPP Rule 16(c), and have found no cases which covers this situation. I do not know, right now, whether Taryn Christian will be a witness in this case. I conclude that mandatory disclosure to be premature. If you are aware of any caselaw which compels me to turn over this statement to you, immediately, please inform me, and I will reconsider my decision whether to effectuate discovery pursuant to HRPP Rule 16(c)(i).

Sincerely,


Dennis W. Jung

cc: client (w/ copy of HRPP Rule 16)

LINDA CROCKETT LINGLE
Mayor

RICHARD T. BISSEN, Jr.
Prosecuting Attorney



DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

November 7, 1996

Ms. Joanne Furuya
Honolulu Police Department
Crime Lab
801 S. Beretania Street
Honolulu, Hawaii 96813

Re: State v. Taryn Christian
Cr. No. 95-0389(1)
MPD Report. No. 95-39250
HPD Report. No. 95-418179
Victim: Vilmar Cabaccang

Dear Ms. Furuya:

This will confirm our conversation of November 6, 1996, regarding the request of Dennis Jung, Esq., attorney for the defense, to view the double-edged knife which is in the custody of the crime lab pending completion of testing of all items of evidence. As you completed the testing on the knife, I have no objection to Mr. Jung's viewing of the same and have asked him to arrange with you for a date and time he wishes to do it. I will try to be there also or have another representative of this office. Thank you for your cooperation.

Very truly yours,

DAVELYNN M. TENGAN
Deputy Prosecuting Attorney



LINDA CROCKETT LINGLE
MayorRICHARD T. BISSEN, Jr.
Prosecuting Attorney**DEPARTMENT OF THE PROSECUTING ATTORNEY**

COUNTY OF MAUI
 WAILUKU, MAUI, HAWAII 96793
 PHONE (808) 243-7777 • FAX (808) 243-7625

November 7, 1996

Dennis W. Jung, Esq.
 547 Halekauwila Street, Suite 212
 Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Thank you for your letter of November 3, 1996.

You may make arrangements with the HPD Crime Lab, probably through Joanne Furuya, the supervisor, to view the knife and let me know the date/time. She advised me they usually like to have a prosecutor's representative present when they allow the defense to view items. If you can arrange for an afternoon appointment, it would be easier for us to have myself or some one else from this office present due to our unavailability mornings given morning court calendars.

Regarding Lisa Kimmey, I recall making it clear at the hearing on your motion to compel that the State's position was that the defense should attempt to arrange to speak with the minor, Lisa, through her parents, whose address and telephone number were in the police report, just as the State would be required to do. That is the procedure the State must follow, and it is not much easier for the State than for the defense.

Further, I do not agree the State must "run interference" for the defense in making Lisa Kimmey available to you. It was Lori Smith's harassment tactics against Lisa and her family at the outset of this case and the present defensive posture that Lisa is a disturbed, lying teenager whose "story" must be destroyed that might make her exercise her prerogative to not speak to the defense.



Dennis W. Jung, Esq.
Page Two
November 7, 1996

Lisa, like any other witness, may decline to speak with the State and/or the defense. Not having discussed this with her, I do not know her inclination but I am not going to force her to speak with people she fears just as I am not going to recommend she not speak with you. I will convey, however, to her parents that you wish to speak with Lisa.

In response to your inquiry, the State has not foreclosed the possibility of settlement negotiations.

Finally, I have reason to believe that you may be in possession of some reports and/or tape recordings of conversations with potential witnesses made with the participation of a man named David Shively (maybe Shifly, spelling uncertain)--hired by Lori Smith and/or Mr. Vickers--and also a tape recording of conversations, possibly telephonic, with Lisa Kimmey, allegedly recanting or contradicting what is in police reports, made by Lori Smith. I expect the latter would be material defense material covered by the State's prior request for discovery. I would appreciate knowing if you will produce the foregoing items without a motion to compel.

Thank you for your attention to the foregoing.

Very truly yours,


DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT

RECEIVED
PROSECUTOR'S OFFICE

DENNIS W. JUNG
Attorney at Law

'96 NOV 12 PZ52

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

COUNTY OF MAUI
WAILUKU, HI 96793

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

November 8, 1996

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Davelynn:

Thank you for your fax dated November 7, 1996. I will get on with contacting Ms. Furuya right away. I will also follow up with Lisa Kimmey and Serena Siedl. Thank you.

I have no reports and/or tape recordings made by Dave Shevling. Dave Shevling did make a partial copy of a recording, and provided Lori Smith with the copy. I heard a part of the tape. Lori Smith should still have it.

Robert Vickers has a number of tapes which support his investigation. I have only written transcriptions of his interviews. Please feel free to contact Mr. Vickers about access to his tapes.

I do have tapes of conversations recorded of various people. One that comes to mind is Phil Schimdt. I do not believe that Mr. Schimdt said nothing new, except that I believe that he did say that Lori Smith came over to see him shortly after the incident, and spoke to him in the privacy of his bedroom. You are entitled to know this, even though this disclosure may hurt my case. I also have two recordings of Patricia Mullens. I do not believe the rest of my tapes are discoverable, but I will check again.

I am not sure whether Lori Smith made any recordings on her own. You are welcome to make independent demands on her for access to any materials that she may have. I will be taking independent action against her to obtain the return of discovery materials which she has, and that I need to prepare for trial. If you have any questions or comments, please do not hesitate to write or call.

Sincerely,
Dennis W. Jung

cc: client

LINDA CROCKETT LINGLE
Mayor



RICHARD T. BISSEN, Jr.
Prosecuting Attorney

DEPARTMENT OF THE PROSECUTING ATTORNEY

COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 243-7777 • FAX (808) 243-7625

November 8, 1996

Dennis W. Jung, Esq.
547 Halekauwila Street, Suite 212
Honolulu, Hawaii 96813

Re: State of Hawaii v. Taryn Christian
Criminal No. 95-0389(1)

Dear Mr. Jung:

Pursuant to Rule 16 of the Hawaii Rules of Penal Procedure, the State of Hawaii hereby provides the above-named Defendant with the following additional discovery in the above-referenced matter:

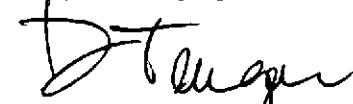
- 1) Police Report No. 95-039250, Supplemental Report by Detective Brian Kaya dated June 17, 1996, consisting of 13 pages;
- 2) Maui Police Department, Postal Information Request for Kelleen Norton consisting of 1 page;
- 3) Police Report No. 95-39250, Report by Officer Scott Alo dated May 23, 1996, consisting of 2 pages;
- 4) Copy of mail order page from United Cutlery and Smokey Mountain Knife Works consisting of 2 pages
- 5) Copy of Ambulance Report Form #060722 for Vilmar Cabacang consisting of 3 pages;
- 6) List of accounts from United Cutlery Corp. consisting of 4 pages;
- 7) Statement of Erica Dela Cruz dated April 3, 1996, consisting of 3 pages.

Dennis W. Jung, Esq.
Page Two
November 8, 1996

The above report (pages 612-639) is enclosed at \$.25 a page.
A bill will be sent to you.

Thank you for your cooperation in this matter.

Very truly yours,



DAVELYNN M. TENGAN
Deputy Prosecuting Attorney

DMT:ayn

Enclosure

cc: Second Circuit Court File
Criminal No. 95-0389(1)

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 12, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

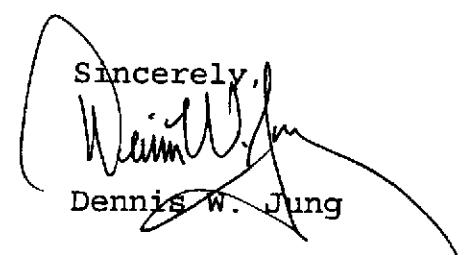
Re: State v. Taryn Christian, Cr. No. 95-0389(1)
Jonnae Furuya

Dear Davelynn:

I have made an arrangement to meet with Ms. Furuya at the Honolulu Police Department on Thursday, November 21, 1996 at 2:00 p.m. If I am permitted to withdraw from this case, I will notify Ms. Furuya that our scheduled meeting will be cancelled, subject to being reset by substitute counsel. Otherwise, we will meet on November 21, 1996.

Will these arrangements be satisfactory?

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: Ms. Joanne Furuya
HPD Crime Lab

WAILUKU, HI 96873
COUNTY OF MAUI

NOV 15 1996

RECEIVED IN CLERK'S OFFICE
PACIFIC ISLANDS COURT
REGISTRATION

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-538-7403

November 21, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

FAX: 1-808-243-7625

Re: State v. Taryn Christian, Cr. No. 95-0309(1)

Dear Davelynn:

Lori Smith has failed and refused to return to me the following: (1) all photos taken of Taryn Christian in the Michigan cap and the plaid jacket; (2) approximately 350 pages of copies of discovery; (3) five video tapes -- crime scene, autopsy, James Burkhardt interview, Gas Express, and Vilmar's wake; and (4) two audio tapes -- 911 and recording of Lisa Kimmey and Taryn Christian.

I will inform you if any of the aforementioned items are returned by the close of business on Friday, November 22, 1996.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,
Dennis W. Jung

cc: client

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96818

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 21, 1996

ALBERT MURASHIGE, Warden
ALAN NOUCHI, Chief of Security
Maui Community Correctional Center
600 Waiale Drive
Wailuku, Maui, Hawaii 96793

FAX: 808-244-0128

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Mr. Murashige and Captain Nouchi:

I am the attorney for Taryn Christian. I appeared in court and was present when Judge McConnell ordered Lori Smith to return all materials of discovery that remain in her possession. Lori Smith explained to Judge McConnell that all that she had was given to her son, Taryn Christian. Lori Smith was given till close of business Friday to return all of these materials to my office.

I am concerned that Lori Smith may try to provide Taryn Christian with additional items of discovery and I do not want my client to be caught up in any way with any disobedience of a lawful order of the court. I respectfully ask if you could instruct your staff to be on the look-out to make sure that Lori Smith is not permitted to bring to Taryn Christian any more of these unauthorized documents.

I will be in Maui on Wednesday, November 27, 1996, for further hearing on motions. I will come over to the facility after court. I respectfully ask for the help of your staff to help me reacquire all materials of discovery which may be in the possession of Taryn Christian. I need to do this to comply with my obligations to the Court. I appreciate any help that you may be able to provide in this regard.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: Davelynn Tengan
Deputy Prosecuting Attorney

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 21, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

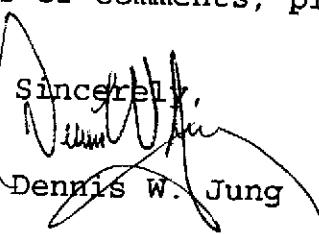
FAX: 1-808-243-7625

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Davelynn:

I am grateful for the opportunity to view the knife in evidence held by HPD. When you obtain follow-up reports on the second knife, please let me know.

If you have any questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: client

DENNIS W. JUNG
Attorney at Law

547 Halekauwila Suite 212
Honolulu, Hawaii 96813

Telephone: 808-524-0800
Facsimile: 808-536-7403

November 25, 1996

Davelynn M. Tengan, Esq.
Department of the Prosecuting Attorney
150 South High Street
Wailuku, Maui, Hawaii 96873

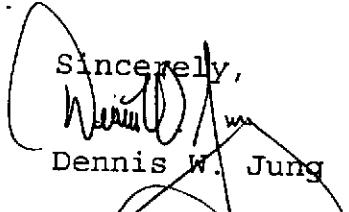
FAX: 808-243-7625

Re: State v. Taryn Christian, Cr. No. 95-0389(1)

Dear Ms. Tengan:

No materials have been received by my office by the close of business on Friday, November 22, 1996. As of this morning, Monday, November 25, 1996, no discovery materials have been returned.

If you have any further questions or comments, please do not hesitate to write or call.

Sincerely,

Dennis W. Jung

cc: client

WAILEKU, HI 96753
COUNTY OF MAUI

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